

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

1171/40069/112

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **BREATHING ASSISTANCE APPARATUS**, the specification of which

(check one) ☐ is attached hereto.

☒ was filed on February 7, 2002 as Application Serial No. 16/072,271  
and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

## Prior Foreign Application(s)

## Priority Claimed

<u>514184</u> (Number)	<u>New Zealand</u> (Country)	<u>13/09/01</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>508218</u> (Number)	<u>New Zealand</u> (Country)	<u>16/11/00</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>505154</u> (Number)	<u>New Zealand</u> (Country)	<u>14/06/00</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>505155</u> (Number)	<u>New Zealand</u> (Country)	<u>14/06/00</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>509039</u> (Number)	<u>New Zealand</u> (Country)	<u>20/12/00</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>508433</u> (Number)	<u>New Zealand</u> (Country)	<u>27/11/00</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>505156</u> (Number)	<u>New Zealand</u> (Country)	<u>14/06/00</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>508219</u> (Number)	<u>New Zealand</u> (Country)	<u>16/11/00</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below; insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>09/881,633</u> (Application Serial No.)	<u>06/14/01</u> (Filing Date)	<u>pending</u> (Status: patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status: patented, pending, abandoned)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Richard A. Giangorgi, Reg. 24,284; Raiford A. Blackstone, Jr., Reg. 25,156; David J. Marr, Reg. 32,915; Linda L. Palomar, Reg. 37,903; James R. Foley, Reg. 39,979; James A. O'Malley, Reg. 45,952 and Paige A. Kitzinger, Reg. 45,219.

SEND CORRESPONDENCE TO: TREXLER, BUSHNELL, GIANGIORGI, BLACKSTONE & MARR, LTD.  
105 W. ADAMS STREET, CHICAGO, IL 60603

DIRECT TELEPHONE CALLS TO: (312) 704-1890 RAIFORD A. BLACKSTONE, JR.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor **GREGORY JAMES OLSEN**

Inventor's signature *G. Olsen* Date 08/07/02

Residence Auckland, New Zealand

Citizenship New Zealand

Post Office Address 28 Fernleigh Avenue, Epsom, Auckland, New Zealand

(Supply similar information and signature for second and subsequent joint inventors.)

Full name of sole or first inventor **MARTIN LECKIE**

Inventor's signature *M. Leckie* Date 5/7/02

Residence Auckland, New Zealand

Citizenship New Zealand

Post Office Address 18B Leven Lane, Manukau City, Auckland, New Zealand

Full name of sole or first inventor **NEIL PRIME**

Inventor's signature *N. Prime* Date 8/7/02

Residence Auckland, New Zealand

Citizenship New Zealand

Post Office Address 5 Brittany Drive, Auckland, New Zealand

Full name of sole or first inventor **LEWIS GEORGE GRADON**

Inventor's signature *L. Graddon* Date 19/07/02

Residence Auckland, New Zealand

Citizenship New Zealand

Post Office Address 22 Brailsford Court, Howick, Auckland, New Zealand

Full name of second inventor **NICHOLAS CHARLES ALAN SMITH**

Inventor's signature *N. Smith* Date 17/7/02

Residence Auckland, New Zealand

Citizenship New Zealand

Post Office Address 157 Great South Road, Auckland, New Zealand

Full name of third inventor **ALASTAIR EDWIN McAULEY**

Inventor's signature *A. McAuley* Date 5/7/02

Residence Auckland, New Zealand

Citizenship New Zealand

Post Office Address 5/27 Lucerne Road, Remuera, Auckland, New Zealand

Full name of fourth inventor **MARK JOSEPH HAYCOCK**

Inventor's signature *M. Haycock* Date 9-7-02

Residence Auckland, New Zealand

Citizenship New Zealand

Post Office Address 77 Cranbrook Place, Glendowie, Auckland, New Zealand

Full name of fifth inventor **CHRIS EARL NIGHTINGALE**

Inventor's signature *C. Nightingale* Date 9/7/02

Residence Auckland, New Zealand

Citizenship New Zealand

Post Office Address P.O. Box 25048, St. Heliers, Auckland, New Zealand